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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK**

PHOENIX BEVERAGES, INC., RODB LLC,  
WINDMILL DISTRIBUTING COMPANY, L.P.,  
UP FROM THE ASHES, INC., and other affiliated  
companies of PHOENIX BEVERAGES, INC.,

Plaintiffs,

vs.

EXXON MOBIL CORPORATION,  
EXXONMOBIL RESEARCH AND  
ENGINEERING COMPANY and QUANTA  
RESOURCES CORPORATION,

Defendants.

Case No. 1:12-CV-03771(RRM) (JO)

**DECLARATION OF  
R. CRAIG COSLETT**

R. CRAIG COSLETT hereby declares as follows:

1. I am a Project Manager for de maximis, inc., a company that provides environmental project management and technical support. I am the Project Coordinator for the remediation that

is being conducted pursuant to the February 2007 Record of Decision issued by the New York State Department of Environmental Conservation for the Quanta Site under New York's Brownfields Program (the "Brownfields Program").

2. On March 16, 2011, I attended a meeting at the North Capasso Site (a/k/a Review Avenue Development Site I (the Quanta Site is a/k/a the Review Avenue Development Site II) with David Kushner, a principal of Cresswood Environmental Associates, L.L.C., DMJ Associates, L.L.C., Review-Railroad Realty, L.L.C. (the owner of the North Capasso Site) and 37-80 Review Realty (the owner of the Quanta Site), to discuss various aspects of the remediation of the two sites under the Brownfields Program.

3. Mr. Kushner was represented at that meeting by Michael D. Goodstein, Esq. of Hunsucker Goodstein PC.

4. Also present at the meeting were legal representatives of the Quanta Site Administrative Group ("QSAG"), Doreen Simmons and Andrew Anselmi. QSAG is paying for the remediation work under the Brownfields Program. I attended the meeting with QSAG's authorization.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief.

Executed on this 26<sup>th</sup> day of February, 2013.

  
R. CRAIG COSLETT